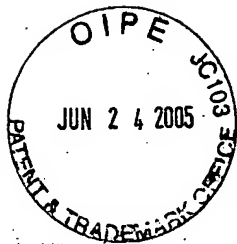


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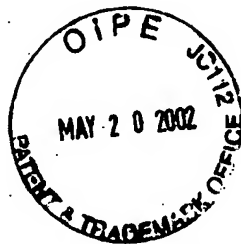
In re Application of: E. Sasha Paegle et al.
Serial No.: 10/080,866
Filed On: February 22, 2002
Mailed On: May 15, 2002

Docket No.: P1732R1
By: Janet E. Hasak
Reg. No.: 28,616

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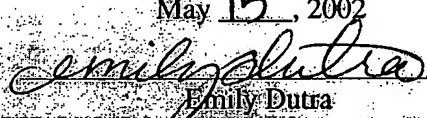
The following has been received in the U.S. Patent Office on the date stamped:

<u>x</u>	Information Disclosure Statement
<u>x</u>	Form 1449 with 81 References
<u>x</u>	Certificate of Mailing



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In re Application of E. Sasha Paegle et al. Serial No.: 10/080,866	Group Art Unit: Unassigned Examiner: Unassigned
Filed: February 22, 2002 For: PROCESS FOR PRODUCTION OF POLYPEPTIDES	<div style="text-align: center;"> CERTIFICATE OF MAILING <small>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on</small> May 15, 2002  Emily Dutra </div>

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner of Patents
 Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

- ☒ **37 CFR §1.97(b)**
- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); or
 - within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, or
 - before the mailing of the first Office action on the merits; or
 - before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.
- ☐ **37 CFR §1.97(c)**
- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(e), as checked below.
- ☐ **37 CFR §1.97(d)**
- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR

§1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

☐ BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1- A-()" (nucleotide) and "BLAST Results B-1 - B-()" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☐ not given
- ☐ given for each listed item
- ☒ given for only non-English language listed item(s) [Required]
Item 16 of the PTO-1449 is provided in the form of an English language abstract. Item 55 is enclosed with an English language abstract.
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

Serial No.: 10/080,866
Filed: February 22, 2002

Page 3

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,
GENENTECH, INC.

Date: May 15, 2002

By: Jay E. Hasak
Jay E. Hasak
Reg. No. 28,616
Telephone No. (650) 225-1896



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PATENT TRADEMARK OFFICE

FORM PTO-1449

U.S. Dept. of Commerce
Patent and Trademark Office

Atty Docket No.

P1732R1

Serial No.

10/080866

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Paegle et al.

Filing Date

22 Feb 2002

Group

U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	1	4,578,355	25.03.86				
	2	5,162,217	10.11.92				
	3	5,256,546	26.10.93				
	4	5,354,846	11.10.94				
	5	5,374,520	20.12.94				
	6	5,401,658	28.03.95				
	7	5,618,715	08.04.97				
	8	5,834,184	10.11.98				

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation Yes No
	9	131,843	23.01.85	EP			
	10	314,184	03.05.89	EP			
	11	467,676	22.01.92	EP			
	12	691,406	10.01.96	EP			
	13	700,997	13.03.96	EP			
	14	838,525	29.04.98	EP			
	15	893,502	27.01.99	EP			
	16	9,059,299	04.03.97	JP (ENGLISH ABSTRACT ONLY)			
	17	WO 85/02624	20.06.85	PCT			
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Date Considered

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FORM PTO-1449

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Atty Docket No.

P1732R1

Serial No.

10/080866

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Applicant

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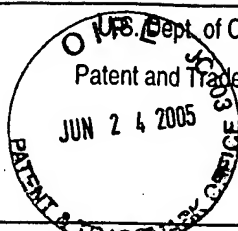
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

LIST OF DISCLOSURES CITED BY APPLICANT

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Atty Docket No.

P1732R1

Serial No.

10/080866

Applicant

Paegle et al.

Filing Date

22 Feb 2002

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Examiner

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U.S. Dept. of Commerce
Patent and Trademark Office

Atty Docket No.

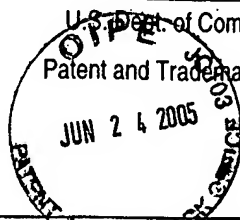
P1732R1

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Applicant

Paegle et al.

Filing Date

22 Feb 2002

Group

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

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Examiner

Date Considered

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

E. Sasha Paegle et al.

Serial No.: 10/080,866

Filed: February 22, 2002

For: PROCESS FOR PRODUCTION OF
POLYPEPTIDES

Group Art Unit: 1636

Examiner: Riggins, Patrick S.

Confirmation No: 9791

CUSTOMER NO: 09157

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 22, 2005

Pamela Gavette

Pamela Gavette

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

☐ **37 CFR § 1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR § 1.53(d); or
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491, or
- before the mailing of the first Office action on the merits; or
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR § 1.114.

☒ **37 CFR § 1.97(c)**

- by the applicant after the period specified in 37 CFR § 1.97(b), but prior to the mailing date of any of a final action under 37 CFR § 1.113, or a notice of

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allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.

☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) **and** a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449.

A copy of the items listed on the PTO-1449 form are supplied herewith, except for those patent(s), publication(s) or other information which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because **a)** ☐ they were previously cited by or submitted to the Office in a prior application Serial No. , filed and relied upon in this application for an earlier filing date under 35 USC §120 **and/ or** because **b)** ☐ copies of United States patents and United States patent application publications are not required unless requested by the Office. 37 CFR §1.98(a)(2)(ii). See Final Rule **1287 OG** (October 12, 2004). Applicants stand ready to provide copies at the request of the Examiner.

☐ BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1 - A-()" (nucleotide) and "BLAST Results B-1 - B-()" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) [Required]

☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR § 1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR § 1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Applicant

Paegle et al.

Filing Date

22 Feb 2002

Group

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LIST OF DISCLOSURES CITED BY APPLICANT

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Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.